

**LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
JANUARY 28, 2014**

MEMBERS PRESENT: Brian Bodily, Dawn Fitzpatrick, Wynn Hansen, Gerald Gilbert, Robert Van Drunen, Tim Pales, Dave Weaver

MEMBERS ABSENT: Brian Bodily, Wynn Hansen

OTHERS PRESENT: Staff Members: Peter Matson, Brandon Rypien, Marlesse Jones, Julie Matthews, Council Member Tom Day

Planning Commission Chair, Gerald Gilbert, welcomed Council Member, Tom Day, who was recently assigned as the City Council liaison to the Planning Commission.

CONDITIONAL USE DISCUSSION

The Commissioners were asked to identify three conditional use approvals to be reviewed. Staff will review the conditions and determine if the conditions are being met. Issues will be identified and Staff will determine what needs to be done to bring the business into compliance. Mr. Matson said that the typical code enforcement process is different than a conditional use follow up. In a conditional use situation, the conditions would have been given to the business owner in a follow up letter. If there are issues, a personal meeting would be held with the business owner rather than a letter sent by mail. Issues that are not in accordance with conditions or other issues that may have come up will be discussed at the meeting. If the business owner does not respond and is not in compliance within three Planning Commission meetings, then the conditional use would be brought back to the Commission for revocation review.

Chairman Gilbert asked if Staff could respond in three weeks. Mr. Matson replied in the affirmative. Chairman Gilbert said the Commission is just asking the applicants to adhere to the conditions upon which they agreed.

Associate City Attorney, Marlesse Jones, said there should be enough steps to give the applicant time to become compliant.

A suggestion was made that business sites that do a good job be congratulated by a letter of appreciation from the City.

Chairman Gilbert asked about reviewing conditional uses at the time the business license renews. Mr. Matson suggested instituting an electronic flag in the business licensing system. He said it would be important to make sure conditions are appropriate to mitigate an impact as compared to a permitted use. He said he was confident in monitoring conditional uses moving forward and said Staff was willing to look at former conditional uses retroactively.

The following are conditional uses the Commission considered for review.

- Taco Stand in front of Archie's Barber Shop – Peter will check on this business.
- B & R rides
- Andrescapes – condition of property and temporary advertisement sign by Young Automotive
- Got Storage – number of vehicles on property
- Red Dot Fire Arms – Peter will discuss status with Bill
- Midnight Euro Auto

The three businesses the Commission chose to be reviewed were Andrescapes, B& R Rides and Midnight Euro Auto.

Chairman Gilbert led a discussion regarding a reduction in the number of Commissioners from nine regular Commissioners to seven regular Commissioners and two alternates. He asked Mr. Matson if there could be a commitment that alternates could be appointed as regular Commissioners if there was a vacancy. Mr. Matson said the applicants for alternate Commissioner would be informed of the policy decision regarding appointments. He said an amendment to the City Code and bylaws would need to be made. He said the Mayor would like to conduct interviews and have Chairman Gilbert present.

The Commissioners were in agreement to reduce the number of regular Commissioners to seven with two alternates.

Associate City Marlesse Jones introduced Tyson Willis, who is also an Associate Layton City attorney.

PUBLIC REVIEW:

1. **JOHN GALLEGOS – CONDITIONAL USE FOR ACCESSORY RESIDENTIAL DWELLING UNIT**
This property is located at 1390 North 3175 East in an A (Agriculture) zoning district. The applicant John Gallegos is representing Linda Gallegos, the property owner.

This item was not reviewed due to lack of time.


Julie K. Matthews, Planning Commission Secretary

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Chairman Gilbert called the meeting to order at 7:04 p.m.

The Pledge of Allegiance was recited and invocation given by Commissioner Weaver.

Chairman Gilbert called for a motion to approve the January 14, 2014, minutes. Commissioner Fitzpatrick asked for a grammatical change on the Work Meeting minutes, page 3, agenda item 4 changing the word "there" to "their." Commissioner Pales moved to approve the minutes as amended. Commissioner Fitzpatrick seconded the motion, and the voting was unanimous.

Chairman Gilbert called for a motion to open Public Review. Commissioner Weaver moved to open Public Review. Commissioner Pales seconded the motion, and the voting was unanimous.

PUBLIC REVIEW:

1. JOHN GALLEGOS – CONDITIONAL USE FOR ACCESSORY RESIDENTIAL DWELLING UNIT
This property is located at 1390 North 3175 East in an A (Agriculture) zoning district. The applicant John Gallegos is representing Linda Gallegos, the property owner.

Brandon Rypien, Planner I, presented the request to build an accessory residential dwelling unit attached to the primary structure. He said the garage is attached by a breezeway and the accessory structure is attached by a breezeway to the garage. He said that if the accessory dwelling unit is detached there are limitations. Since the structure is attached to the primary structure, there are no limitations on the size. The proposed structure is 1200 square feet.

Mr. Rypien said that any time the accessory residential dwelling structure is built in a single family residential zone, the owner is required to submit a letter of agreement that only blood relatives shall occupy the accessory residential structure and the owner must reside either in the primary structure or accessory residential structure.

Mr. Rypien said the applicant has submitted the letter of agreement.

The applicants, John and Linda Gallegos, 1390 North 3175 East were present. Chairman Gilbert asked if they had reviewed the conditions or had any questions. Mr. Gallegos said they had reviewed the conditions and had no questions.

There were no questions from the audience.

Chairman Gilbert called for a motion on the item. Commissioner Fitzpatrick moved that the Planning Commission approve the conditional use with conditions as written hereby adopted as requirements. Commissioner Pales seconded the motion, and the voting was unanimous.

City Planner, Peter Matson, asked for the Commission's opinion on information projected during the meetings and improvements that may be made so that there will be three screens utilizing a touch screen laptop controlled by the presenter.

Chairman Gilbert called for a motion to close Public Review and adjourn the meeting. Commissioner Pales moved to close Public Review and adjourn the meeting. Commissioner Van Drunen seconded the motion, and the voting was unanimous. The meeting adjourned at 7:19 p.m.


Julie K. Matthews, Planning Commission Secretary